

**FILED**

**AUG 15 2018**

Clerk, U.S. Courts  
District Of Montana  
Missoula Division

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
MISSOULA DIVISION

UNITED STATES OF AMERICA,

CR 15-11-M-JCL

Plaintiff,

vs.

JUDGMENT AND SENTENCE

DAN CALVERT WALLEN,

Defendant.

On July 10, 2018, the Court entered written findings of fact and conclusions of law adjudging Defendant Dan Wallen guilty of three counts of unlawfully taking a threatened species in violation of 16 U.S.C. §§ 1538(a)(1)(G) and 1540(b)(1), and 50 C.F.R. § 17.40(b)(1)(i)(A). On August 15, 2018, the parties appeared before the Court for Defendant's sentencing hearing.

Having considered the record in this case, all of the information presented at the sentencing hearing, and the sentencing factors set forth in 18 U.S.C. § 3553, IT IS HEREBY ORDERED that Defendant is sentenced as follows:

1. Defendant shall pay a \$10 special assessment;

2. Defendant shall pay restitution in the amount of \$25,000;

3. Defendant shall serve a three-year term of unsupervised probation subject to the following conditions:

- a. Defendant shall make monthly installment payments on the remaining balance due for restitution in the amount of \$10,000, payable at the rate of approximately \$277.78 per month, unless otherwise directed by the United States Probation Office.
- b. Defendant shall not commit any federal, state or local crime while on probation.

Upon Defendant's payment in full of the total \$25,000 in restitution, his term of probation shall terminate.

Defendant shall send his restitution payments to the following address:

United States District Court  
P.O. Box 8537  
Missoula, Montana 59807

The Clerk of Court is directed to forward the restitution payments to the following:

Montana Fish, Wildlife and Parks  
Attn: Donna Campbell, Account # 48161  
1420 East Sixth Avenue  
Helena, MT 59620-0701

Defendant is advised that pursuant to Fed. R. Crim. P. 58(g)(2) he has a right to appeal this judgment and the sentence imposed within 14 days of its entry. To appeal, Defendant must file a notice of appeal with the Clerk of Court. The notice

of appeal must specify the judgment being appealed, and Defendant must serve a copy of the notice of appeal on the attorney for the United States.

DATED this 15<sup>th</sup> day of August, 2018.

Jeremiah C. Lynch  
United States Magistrate Judge